36. (New) The therapeutic composition of Claim 35 wherein said carrier is in the form of a hydrogel.

37. (New) The therapeutic composition of Claim 35 wherein said carrier is a member of the group consisting of alginate, agarose, collagen, and mixtures thereof.

38. (New) The therapeutic composition of Claim 35 wherein at least a portion of said *in vitro* propagated human intervertebral disc cells have re-expressed extracellular matrix materials.

REMARKS

Reconsideration of the above-identified application is respectfully requested. Claims 10, 11, 13-15 and 18-34 have been cancelled. New Claims 35 - 38 have been added. New Claims 35-38 are directed to therapeutic compositions comprising a carrier in admixture with *in vitro* propagated human intervertebral disc cells. The disc cells are propagated by the methods set forth in Applicants' United States Patent No. 6,080,579.

In the Advisory Action in response to Applicants' Amendment After Final Rejection of the parent application, the Examiner has again raised the issue of support in the specification for claims directly solely to obtaining intervertebral annulus disc cells from the monolayer culture. The newly submitted claims attempt to clarify this matter.

The Applicants' discussed in the specification that the source of the cells that were used to make the therapeutic composition, and in particular noted in Example 1, that the regions of the annulus and nucleus were visibly identified and representative pieces of annulus and nucleus were dissected. Further in this regard, it is respectfully requested that reconsideration be given to Dr. Gruber's Declaration under Rule 132 provided in the parent application. Therein, Dr. Gruber explains the model studies using the disc cells from the sand rat. As a practical concern, it does not matter as far as the growth of the cells go as to whether or not the cells are annulus or nucleus